

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: Rule 53.2 of the Local Rules of Criminal Procedure,
*Electronic Case File Privacy Rule***

O R D E R

AND NOW, this 27th day of September, 2004, it appearing that this Court is vested with authority, pursuant to 28 U.S.C. §§2071(b), 2077 and Federal Rule of Civil Procedure 83, to promulgate Local Civil Rules not inconsistent with the Federal Rules of Civil Procedure and applicable statutes,

AND, it appearing that the judges of the court, on May 17, 2004, approved for publication and solicitation of comment, Rule 53.2 of the Local Rules of Criminal Procedure for the United States District Court for the Eastern District of Pennsylvania, *Electronic Case File Privacy Rule*,

AND, it further appearing that no comments were received in response to the publication of notice and solicitation of comment, it is hereby

ORDERED that, in accordance with the Resolution approved by the judges of this Court on May 17, 2004, Rule 53.2 of the Local Rules of Criminal Procedure for the United States District Court for the Eastern District of Pennsylvania, will apply to all criminal cases filed in this district, whether filed in the traditional paper format or electronically under the court's Electronic Case Filing system, and will read as follows:

Rule 53.2 Electronic Case File Privacy - In compliance with the policy of the Judicial Conference of the United States, and the E-Government Act of 2002, and in order to promote electronic access to documents in the criminal case files while also protecting personal privacy and other legitimate interests, parties shall refrain from including, or shall partially redact where inclusion is necessary, the following personal data identifiers from all documents filed with the court, including exhibits thereto, whether filed electronically or in paper, unless otherwise ordered by the court:

- a. Social Security numbers. If an individual's Social Security number must be included, only the last four digits of that number should be used.**

- b. Names of minor children. If the involvement of a minor child must be mentioned, only the initials of the child should be used.
- c. Dates of birth. If an individual's date of birth must be included, only the year should be used.
- d. Financial account numbers. If financial account numbers are relevant, only the last four digits of the number should be used.
- e. Home addresses. If a home address must be included, only the city and state should be listed.

In compliance with the E-Government Act of 2002, a party wishing to file a document containing the personal data identifiers listed above may file an unredacted document under seal. This document shall be retained by the court as part of the record. The court, may, however, still require the party to file a redacted copy for the public file. Trial exhibits may be safeguarded by means other than redaction, and the court may modify this rule to fit the requirements of particular cases.

The responsibility for redacting these personal identifiers rests solely with counsel and the parties. The Clerk need not review filings for compliance with this rule.

Therefore, this 27th day of September 2004, it is further

ORDERED that Rule 53.2 of the Local Rules of Criminal Procedure for the United States District Court for the Eastern District of Pennsylvania, *Electronic Case File Privacy*, is approved and adopted, to be effective October 1, 2004. It is further

ORDERED that the Clerk of Court transmit a copy Rule 53.2 of the Local Rules of Criminal Procedure for the United States District Court for the Eastern District of Pennsylvania, *Electronic Case File Privacy*, to the Director of the Administrative Office of the United States Courts and the Judicial Council of the Third Circuit Court of Appeals and make said Rule available to the bar and public.

FOR THE COURT:

JAMES T. GILES,
Chief Judge

